

RONALD J. TENPAS
Assistant Attorney General
Environment & Natural Resources Division

ROCHELLE L. RUSSELL (CA Bar No. 244992)
Trial Attorney
U.S. Department of Justice
Environment & Natural Resources Division
Environmental Defense Section
P.O. Box 23986
Washington, D.C. 20026-3986
Tel: (202) 514-1950
Fax: (202) 514-8865
Email: rochelle.russell@usdoj.gov
Counsel for Defendants

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ASSOCIATION OF IRRITATED
RESIDENTS, an unincorporated association,
and NATURAL RESOURCES DEFENSE
COUNCIL, INC.,

Plaintiffs,

v.

UNITED STATES ENVIRONMENTAL
PROTECTION AGENCY, STEPHEN L.
JOHNSON, in his official capacity as
Administrator of the United States
Environmental Protection Agency, and
WAYNE NASTRI, in his official capacity as
Regional Administrator for Region IX of the
United States Environmental Protection
Agency,

Defendants.

No. CV 08-00227 SC

**STIPULATION TO AN EXTENSION
OF TIME FOR DEFENDANTS TO
RESPOND TO COMPLAINT AND
FOR INITIAL DISCOVERY AND
CASE MANAGEMENT
CONFERENCE**

1 WHEREAS, on January 14, 2008, the Association of Irrigated Residents and the Natural
 2 Resources Defense Council, Inc., (collectively, "Plaintiffs") filed the complaint in the above-
 3 captioned matter against the United States Environmental Protection Agency; Stephen L.
 4 Johnson, in his official capacity as Administrator of the United States Environmental Protection
 5 Agency; and Wayne Nastri, in his official capacity as Administrator for Region IX of the United
 6 States Environmental Protection Agency (collectively, "EPA" or "Defendants"), alleging that
 7 EPA has failed to undertake certain nondiscretionary duties under section 304(a)(2) of the Clean
 8 Air Act, 42 U.S.C. § 7604(a)(2);

9 WHEREAS, Plaintiffs and EPA currently are working toward settlement of this case;

10 WHEREAS, Plaintiffs and EPA agree and acknowledge that any settlement of this case
 11 must be approved by authorized officials at the U.S. Department of Justice and EPA, a process
 12 that can take several weeks;

13 WHEREAS, at least 30 days before any final settlement of this matter can be entered,,
 14 EPA must provide notice of such settlement in the Federal Register and an opportunity for public
 15 comment pursuant to section 113(g) of the Clean Air Act, 42 U.S.C. § 7413(g);

16 WHEREAS, no previous requests for extensions of time have been filed in this case and
 17 the parties believe that the requested extensions below will not adversely affect the schedule of
 18 this case;

19 NOW THEREFORE, pursuant to Local Rules 6-2 and 7-12, the parties, by and through
 20 their undersigned counsel, hereby stipulate to the entry of an order that:

- 21 1. Extends EPA's deadline for responding to Plaintiffs' complaint by 45 days to May
 22 1, 2008;
- 23 2. Continues the parties' deadline to meet and confer regarding initial disclosures,
 24 early settlement, ADR process selection and certification, and discovery planning to May 23,
 25 2008;
- 26 3. Continues the parties' deadline to file initial disclosures, a Case Management
 27 Statement, and a Rule 26(f) Report to June 6, 2008;
- 28 4. Continues the initial case management conference to June 13, 2008.

COUNSEL FOR PLAINTIFFS:

Dated: March 14, 2008

/s/ Brent Newell
BRENT NEWELL
Center On Race, Poverty & the Environment
47 Kearney Street, Suite 804
San Francisco, CA 94108
Phone: (415) 346-4179
Email: bjnewell@igc.org
Counsel for Plaintiff Association of Irrigated Residents

Dated: March 14, 2008

/s/ Adriano Martinez
ADRIANO MARTINEZ
Natural Resources Defense Council
1314 Second Street
Santa Monica, CA 90401
Phone: (310) 434-2300
Email: amartinez@nrdc.org
Counsel for Plaintiff Natural Resources Defense Council

COUNSEL FOR DEFENDANTS:

Dated: March 14, 2008

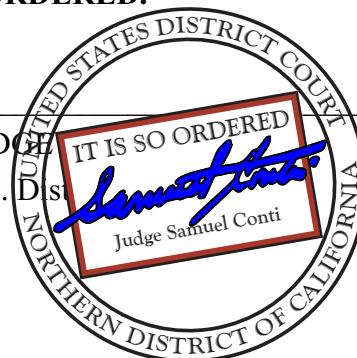
RONALD J. TENPAS
Assistant Attorney General
Environment & Natural Resources Division

/s/ Rochelle L. Russell
ROCHELLE L. RUSSELL
Trial Attorney,
U.S. Department of Justice
Environmental Defense Section
P.O. Box 23986
Washington, D.C. 20026-3986
Tel: (202) 514-1950
Email: rochelle.russell@usdoj.gov
Counsel for Defendants

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: 3/17/08

JUDGE
U.S. Dis



Stipulation to Extend Answer,
Initial Discovery and Case Management Dates

No. CV 08-00227 SC

CERTIFICATE OF SERVICE

I certify that on March 14, 2008, a true and correct copy of the foregoing
**STIPULATION TO AN EXTENSION OF TIME FOR DEFENDANTS TO RESPOND TO
COMPLAINT AND FOR INITIAL DISCOVERY AND CASE MANAGEMENT
CONFERENCE** was served electronically via the Court's e-filing system to Counsel of Record.

/s/ Rochelle L. Russell
ROCHELLE L. RUSSELL